

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC. §  
§  
v. § CIVIL ACTION NO. 2:21-CV-00463-JRG  
§  
SAMSUNG ELECTRONICS CO., LTD., §  
SAMSUNG ELECTRONICS AMERICA, §  
INC., SAMSUNG SEMICONDUCTOR, §  
INC. §

**MINUTES FOR JURY TRIAL DAY NO. 2  
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP  
April 17, 2023**

**OPEN: 08:31 AM**

**ADJOURN: 05:58 PM**

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANTS: See attached

LAW CLERKS: Ryan Davies  
Harris Huguenard  
Jeffrey Jacobsen

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

TIME	MINUTE ENTRY
08:31 AM	Court opened.
08:31 AM	Exhibits used Friday read into the record.
08:33 AM	Jury entered the courtroom.
08:34 AM	Continuation of Plaintiff's case-in-chief:
08:34 AM	Continuation cross-examination of Mr. Scott Milton by Mr. McKeon.
09:01 AM	Bench conference.
09:02 AM	Bench conference concluded.
09:02 AM	Continuation cross-examination of Mr. Scott Milton by Mr. McKeon.
09:10 AM	Bench conference.
09:11 AM	Bench conference concluded.
09:12 AM	Continuation cross-examination of Mr. Scott Milton by Mr. McKeon.
09:19 AM	Bench conference.
09:20 AM	Bench conference concluded.

TIME	MINUTE ENTRY
09:20 AM	Continuation cross-examination of Mr. Scott Milton by Mr. McKeon.
09:25 AM	Redirect examination of Mr. Scott Milton by Mr. Sheasby.
09:31 AM	Bench conference.
09:32 AM	Bench conference concluded.
09:32 AM	Continuation redirect examination of Mr. Scott Milton by Mr. Sheasby.
09:38 AM	Bench conference.
09:40 AM	Bench conference concluded.
09:40 AM	Continuation redirect examination of Mr. Scott Milton by Mr. Sheasby.
09:41 AM	Recross examination of Mr. Scott Milton by Mr. McKeon.
09:43 AM	Completion of testimony of Mr. Scott Milton.
09:43 AM	Witness sworn.
09:45 AM	Direct examination of Dr. William Henry Mangione-Smith by Mr. Monnin.
10:22 AM	Jury recessed for break.
10:23 AM	Recess.
10:39 AM	Court reconvened.
10:40 AM	Jury returned to courtroom.
10:40 AM	<b>Courtroom sealed.</b>
10:41 AM	Continuation direct examination of Dr. William Henry Mangione-Smith by Mr. Monnin.
10:44 AM	Jury retired to jury room.
10:45 AM	Court addressed objection to exhibit outside presence of jury.
11:12 AM	Jury returned to courtroom.
11:13 AM	Continuation direct examination of Dr. William Henry Mangione-Smith by Mr. Monnin.
11:18 AM	<b>Courtroom unsealed.</b>
11:19 AM	Bench conference.
11:20 AM	Bench conference concluded.
11:20 AM	Continuation direct examination of Dr. William Henry Mangione-Smith by Mr. Monnin.
11:54 AM	Jury recessed for lunch.
11:54 AM	Court readdressed previous exhibit objection.
11:59 AM	Recess.
01:26 PM	Court reconvened.
01:27 PM	Court rescinded prior ruling re: previous exhibit objection.
01:28 PM	Jury returned to courtroom.
01:28 PM	Cross examination of Dr. William Henry Mangione-Smith by Mr. McKeon.
01:37 PM	Bench conference.
01:38 PM	Bench conference concluded.
01:38 PM	Continuation cross examination of Dr. William Henry Mangione-Smith by Mr. McKeon.
02:32 PM	Bench conference.
02:35 PM	Bench conference concluded.
02:35 PM	Continuation cross examination of Dr. William Henry Mangione-Smith by Mr. McKeon.
02:38 PM	Bench conference.

TIME	MINUTE ENTRY
02:43 PM	Bench conference concluded.
02:43 PM	Redirect examination of Dr. William Henry Mangione-Smith by Mr. Monnin.
02:51 PM	Recross examination of Dr. William Henry Mangione-Smith by Mr. McKeon.
02:53 PM	Completion of testimony of Dr. William Henry Mangione-Smith.
02:54 PM	Jury recessed for break.
02:54 PM	Recess.
03:10 PM	Court reconvened.
03:11 PM	Off the record.
03:11 PM	On the record.
03:12 PM	Jury returned to courtroom.
03:12 PM	Witness sworn.
03:13 PM	Direct examination of Dr. Michael Brogioli by Mr. Burgess.
03:17 PM	Bench conference.
03:18 PM	Bench conference concluded.
03:18 PM	Continuation direct examination of Dr. Michael Brogioli by Mr. Burgess.
03:27 PM	<b>Courtroom sealed.</b>
03:28 PM	Bench conference.
03:29 PM	Bench conference concluded.
03:29 PM	Continuation direct examination of Dr. Michael Brogioli by Mr. Burgess.
03:35 PM	Objection raised.
03:35 PM	Jury retired to jury room.
03:36 PM	Court heard argument outside presence of the jury.
03:50 PM	Court made rulings as set forth in the record.
03:51 PM	Jury returned to courtroom.
03:51 PM	Continuation direct examination of Dr. Michael Brogioli by Mr. Burgess.
04:38 PM	<b>Courtroom unsealed.</b>
04:39 PM	Jury recessed for break.
04:39 PM	Recess.
04:58 PM	Court reconvened.
04:59 PM	Jury returned to courtroom.
04:59 PM	Cross examination of Dr. Michael Brogioli by Mr. Cordell.
05:29 PM	Bench conference.
05:30 PM	Bench conference concluded.
05:30 PM	Continuation cross examination of Dr. Michael Brogioli by Mr. Cordell.
05:56 PM	Bench conference.
05:56 PM	Bench conference concluded.
05:56 PM	Court provided instructions to the jury.
05:57 PM	Jury recessed for the day until 8:30 AM tomorrow.
05:58 PM	Court reminded the parties to continue with their meet and confer efforts re: overnight disputes.
05:58 PM	Court adjourned.